

NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION

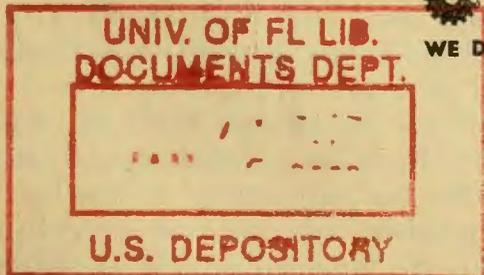
FOR THE

GARMENT PRESSING MACHINE
AND APPLIANCE INDUSTRY

AS SUBMITTED AUGUST 24, 1933

REGISTRY No. 1399—1—14

The Code for the Garment Pressing Machine and Appliance Industry in its present form merely reflects the proposal of the above-mentioned industry, and none of the provisions contained therein are to be regarded as having received the approval of the National Recovery Administration as applying to this industry

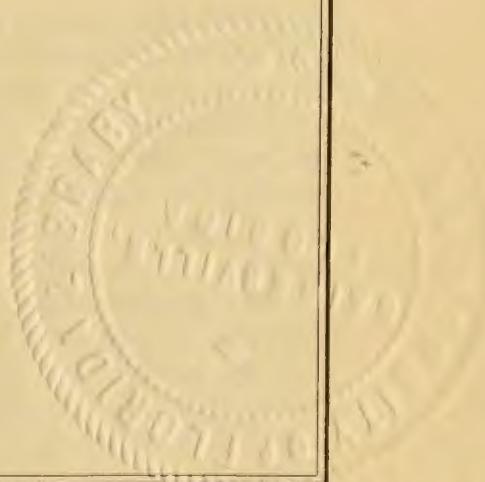


WE DO OUR PART

UNITED STATES

GOVERNMENT PRINTING OFFICE

WASHINGTON : 1933



CODE OF FAIR COMPETITION FOR GARMENT PRESSING MACHINERY AND APPLIANCE INDUSTRY

For the purpose of effectuating the policy of the National Industrial Recovery Act by improving the standards of labor and eliminating certain destructive practices inimical to the interests of the public, employees and employers, the following provisions are established as a Code of fair competition for the "Garment Pressing Machinery and Appliance Industry."

I. DEFINITIONS

(a) The term "Garment Pressing Machinery and Appliance Industry" as used herein is defined to mean a manufacturer of garment pressing machines and equipment, whether manual or mechanical; boilers, vacuum systems, and other appurtenances used in connection with such machines, and persons engaged in the rebuilding and/or sale of machines aforesaid, exclusive of domestic and laundry irons and machines.

(b) The term "persons" shall include natural persons, partnerships, associations, and corporations.

(c) The term "Clothing Contractor and Manufacturer" shall include all persons engaged in the business of the manufacture of men's, women's, and children's wearing apparel, including coats, suits, cloaks, wraps, shirts, dresses, and similar articles of wearing apparel.

II

This Code shall take effect the eleventh day after the same shall have been approved by the President of the United States.

III. LABOR

(a) That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; that no employees and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing; and that employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the President. On and after the effective date employers shall not employ any person under the age of 16 years.

(b) On and after the effective date hereof the minimum wage that shall be paid by employers to any person engaged in the processing of the products of the Garment Pressing Machinery and Appliance Industry, and in labor operations incidental thereto, shall be 45 c an hour, provided, however, that casual and incidental labor and learners may be paid not less than 80% of such minimum wage, but the total amount paid to such casual or incidental laborers and learners shall not exceed in any calendar month five per cent of the total wages paid to all process labor.

(c) Maximum hours of labor on and after the effective date for persons engaged in the processing of products of the "Garment Pressing Machinery and Appliance Industry" and in labor operations incidental thereto shall be 40 hours per week for labor operating within a plant and 44 hours per week for labor engaged in work without a plant.

(d) Maximum hours of labor on and after September 1st, 1933, for all other employees except executive, administrative, and supervisory employees and travelling salesmen shall be 40 hours per week.

(e) Provided, however, that these limitations shall not apply to those branches of the garment-pressing machinery and appliance industry in which seasonal or peak demand places an unusual and temporary burden for production upon such branches; in such case no employee shall be permitted to work more than an aggregate of 144 hours per year in excess of limitations hereinbefore provided, and provided further that such limitations shall not apply in cases of emergency. At the end of each calendar month every employer shall report to the supervisory agency, hereinafter provided for, in such detail as may be required, the number of man hours worked in that month for emergency reasons and the ratio which said emergency man hours bears to the total number of man hours of labor during said month.

IV

With a view to keeping the President of the United States and the Administrator informed as to the observance or nonobservance of this Code, and as to whether the Garment Pressing Machinery and Appliance Industry is taking appropriate steps to effectuate in all respects the declared policy of the National Recovery Act, each employer shall prepare and file with such person or organization as the supervisory agency may designate and at such times and in such manner as may be prescribed, statistics of number of persons employed, wage rates, hours of work, costs, prices quoted, contracts made, and such other similar statistical data as the supervisory agency may from time to time require.

V

Except as otherwise provided in the National Industrial Recovery Act, all statistical data filed in accordance with the provisions of Article IV shall be confidential and the data of one employer shall not be revealed to any other employer except that for the purpose of administering or enforcing the provisions of this Code the super-

visory agency, by its duly authorized representatives, shall have access to any and all statistical data that may be furnished in accordance with the provisions of this Code.

VI

Any employer may participate in this Code and in any revisions or additions thereto and receive the benefits thereof by accepting the proper pro rata share of the cost and responsibility of creating and administering it by becoming a member of "Clothes Pressing Machinery and Appliance Association."

VII

Every employer shall use an accounting system and a costing system which conforms to the principles of and is at least as detailed and complete as the uniform and standard method of accounting and the uniform and standard method of costing to be formulated or approved by the supervisory agency, with such variations therefrom as may be required by the individual conditions affecting any employer or group of employers and as may be approved by the supervisory agency and make such supplements to the said formulated or approved methods of accounting and costing.

VIII. SALES ON DEFERRED PAYMENTS

It shall be considered unfair competition to sell or dispose of any machinery on deferred payments unless the terms of payment as hereinafter set forth are adhered to.

(a) On the sale of a garment pressing machine to a neighborhood tailor, neighborhood valet, neighborhood tailoring store or any person engaged in the sale at retail of articles of wearing apparel, the initial down payment on such machine shall be as follows: On sales of machinery up to \$199.00, thirty percent of the net amount of the contract; on sales from \$200.00 up to and including \$599.00, \$75.00; and on sales amounting to \$600.00 or more, \$100.00. On sales of machines "F.O.B. Factory" the minimum down payment shall be \$50.00, "F.O.B. Factory". In computing the price of such sale the cost of installation shall be included. Trade-ins shall not be considered part of the down payment. The aforementioned down payment applies to single machines, and in the event more than one machine is sold, an individual down payment shall be required on each machine sold, computed on the selling price of said machine, to be computed on the basis aforementioned. All sales referred to as sales of pressing machines shall include the necessary accessories and appurtenances thereto.

(b) On sales and installations of machinery, to clothing contractors and manufacturers, where three or more machines are sold, the down payment shall not be less than thirty percent of the total amount of the entire purchase price, which purchase price shall include the labor charges in connection with the installation of the same. In the event, however, less than three machines are sold, then the minimum down payment shall be \$75.00 on each machine so sold.

Trade-ins are not to be considered part of the down payment; for the purpose of computing the down payment aforementioned the net amount of the contract shall be considered the selling price of the machinery.

(c) All sales referred to as sales of pressing machines shall include the necessary accessories and appurtenances thereto, such as boilers, motors, blowers, vacuum systems.

(d) On all sales made as set forth in Subdivision "a" payment shall be made in equal monthly installments with a minimum payment of \$20.00 per month; on all sales made as set forth in Subdivision "b" the minimum monthly installments shall be \$25.00 per month, with the proviso that the full contract price of machines sold as set forth in Subdivision "b" shall be paid within eighteen months from the date of the contract. Interest at the rate of 6% per annum shall be charged on all unpaid balances. The first installment payment to be made on all sales not later than six weeks after the date of delivery.

IX. INDUCING BREACH OF CONTRACT

(a) It shall be considered unfair competition for any person to induce a customer to breach a prior contract of purchase entered into, by offering a guarantee to hold him harmless because of such breach of contract, or by the payment of any moneys to procure such breach for the purpose of procuring an order for the sale of merchandise.

(b) It shall be considered unfair competition for any person to offer any rebate, refund, or lower price to any customer in order to induce such customer to breach a prior contract of sale.

(c) For the purposes set forth in paragraphs IX-a and IX-b, the acts of any agent or salesman will be considered the act of the person or firm whom he represents.

(d) It shall be considered unfair competition for any person to deliver any newly developed article or machine on approval for a period in excess of thirty days from date of installation. Regular terms will be stipulated on the trial order and will be effective when the machine is accepted. If machine is not accepted at the end of thirty days, the same is to be removed by the manufacturer. For the purpose of this subdivision, an article or machine will be considered newly developed for a period not exceeding two years from the date on and after the installation of the first one produced.

(e) It shall be considered unfair competition for any person to sell any machine or accessory as a second-hand machine or as a used sample or a machine used for demonstration purposes when the same is not actually as aforementioned or in any manner, shape, or form to wilfully misdescribe any machine or accessory for the purpose of inducing the purchase thereof.

XI

Such of the provisions of this Code as are not required by the National Industrial Recovery Act to be included therein may be modified or eliminated with the approval of the President of the United States as changed circumstances or experiences may indicate.

A study of the trade practices of the industry will be continued by the "Clothes Pressing Machinery and Appliance Industry", for the purpose of submitting from time to time such amendments or additions to this Code applicable to the industry affected hereby or supplemental Codes applicable to any branch of said industry. The "Clothes Pressing Machinery and Appliance Industry" on the basis of its study of the trade practices of the industry may formulate such rules and regulations concerning the practice of fair competition, as may be advisable from time to time.

The supervisory agency for the purpose of encouraging fair competition shall be empowered to formulate lists of trade-in values to be followed by employers on sales of machinery. The supervisory agency shall also be empowered to formulate rules for the exchanging, filing, and distribution of price lists and discount sheets.

If any employer of labor in this industry is also an employer of labor in any other industry, provisions of this Code shall apply and affect only that part of such person's business which is included in the Garment Pressing Machinery and Appliance Industry.

XI. The "Clothes Pressing Machinery and Appliance Industry" is hereby designated the agency for administering, supervising, and promoting the performance of the provisions of this Code by the members of the "Garment Pressing Machinery and Appliance Industry."



